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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

ETOPIA EVANS, as the Representative of the)
 Estate of Charles Evans, et al.,)
 Plaintiffs,)
 vs.)
 ARIZONA CARDINALS FOOTBALL CLUB,)
 LLC, et al.,)
 Defendants.)

Case No. 3:16-cv-01030-WHA

REPLY IN SUPPORT OF MOTION FOR
 EXTENSION OF TIME TO FILE SECOND
 AMENDED COMPLAINT

Date: March 16, 2017

Time: 8:00 a.m.

Courtroom: 8, 19th Floor
 Honorable William Alsup

1 The adversarial nature of the filings notwithstanding, the parties appear, for the most part,
2 to be in agreement. Plaintiffs indeed “offer no reason why an extension is needed to file the
3 amended pleading they have been given leave to file” [Dckt. # 172 at 2] because they seek no
4 such extension. Should this court desire to proceed solely on the Plaintiffs’ intentional
5 misrepresentation and concealment claims via the second amended complaint, they will file the
6 same on February 22. In that event, everyone is on notice that Carlos Rogers will be filing a
7 complaint with whatever claims he may be able to bring in such time as he may be able to bring
8 them. And that in such an event, those claims will likely be consolidated with the claims here,
9 and such consolidation could impact the current deadlines in this case. But if however this court
10 would prefer to have Mr. Rogers’ claims included in that filing, Plaintiffs ask only that they have
11 sufficient time to be able to prepare the same. A March 3 filing will press Plaintiffs’ counsel, but
12 they have committed to it, and will get it done, should the court so allow.

13 The parties diverge on three other issues. First, while true that the court has said that
14 Plaintiffs cannot amend their RICO claims, [Dckt. # 172 at 2], it has not said, nor could it, that a
15 potential plaintiff with ripe claims could not file a complaint against the defendants.
16 Second, Plaintiffs agree that the court dismissed the conspiracy claims. [Dckt. # 172 at 2]. And
17 they further acknowledge that an argument could be made that the same logic that applies to their
18 state law conspiracy claims applies to their RICO conspiracy claims, though they do not concede
19 the point. But as to Plaintiffs’ RICO claims not grounded in conspiracy, the only basis for
20 dismissal was statute of limitations. Third, Plaintiffs do not seek to skirt the deadline imposed to
21 add new parties. [Dckt. # 172 at 2]. Rather, they simply ask that if the court desires to hear
22 these claims from this new plaintiff as part of this new pleading, they be allowed sufficient time
23 to plead the same and explain why they should be allowed to do so.

1 DATED: February 17, 2017

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5 /s/ William N. Sinclair
[ATTORNEY SIGNATURE]

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